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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,376	11/19/2003	Richard C. Fickle	505,807-058	9538

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EXAMINER	
YIMAM, HARUN M	
ART UNIT	PAPER NUMBER
2623	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/718,376	FICKLE ET AL.	
	Examiner	Art Unit	
	Harun M. Yimam	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-55* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/06/2006 has been entered.

Response to Arguments

2. Applicants' arguments filed 10/06/06 with respect to claims 1-55 have been fully considered but are not persuasive.

3. Applicants' arguments filed 10/06/06 with respect to claims 1-55 have been fully considered but are moot in view of the new ground(s) of rejection.

4. Applicants' argue (page 15, 1st paragraph) that the Examiner has not met the initial burden of establishing a prima facie case of obviousness. The

Examiner believes to have provided a prima facie case of obviousness by establishing the three basic criteria as follows:

First, the Examiner provided suggestions or motivation to combine the references as described above.

Secondly, one of ordinary skill in the art would reasonably expect the combination of Plotnick, Lafer and Roop to succeed because (i) all three systems are directed towards data manipulation in a multimedia network (Plotnick—Video-on-Demand—figure 4, paragraphs 0112-115, 150, 155 and 0169, Lafer—column 5, line 40 – column 6, line 55 and Roop—column 9, lines 21-47) and (ii) managing the use of metadata taught by Plotnick, Lafer and Roop is a typical step found in multimedia distribution networks. For example, a basic cable station (central facility) transmits television programs along with metadata (start time of a television program, duration, end time, rating, etc). It is also common for any related data i.e., a preview of said television program, to be transmitted along with the metadata. Therefore, taking the basic feature of metadata management and associating it with any related data files in the process as taught by the combined cited prior art is sufficient basis for reasonable expectation of success.

Thirdly, the Examiner indicated that the prior arts of record teach all the claimed limitations.

5. In response to applicants' argument (page 16, 1st paragraph) that Plotnick, Lafer and Roop, taken alone or in combination, do not disclose, suggest or

render obvious any limitation of claim 1, applicants should note that the combination of the three clearly teach on all of the limitations of claim 1.

Plotnick discloses a method comprising:

receiving metadata (paragraph 0155, lines 1-12) provided by at least one of a content provider and an MSO (paragraph 0115);

coordinating uploading associated metadata to a VOD server (paragraph 0115, 0150, 0155 and 0164) comprising

providing usage reports relating to usage of data (paragraph 0169) by end users (paragraph 0150 and 0169).

Plotnick fails to teach the use of multimedia asset data files and the use of multiple service operators.

In analogous art, Lafer teaches the use of multimedia asset data files as follows:

"...associated with a multimedia asset data file..." on col. 2, lines 7-11.

"...coordinating uploading the multimedia asset data file..." on col. 5, lines 41-43, col. 9, lines 65-67, and col. 2, lines 7-11.

"...scheduling the uploading of the multimedia asset data file..." on col. 7, lines 53-56, col. 9, lines 65-67, and col. 2, lines 7-11.

"...and tracking the uploading of the multimedia asset data file..." on col. 6, lines 42-43, col. 9, lines 65-67, and col. 2, lines 7-11.

"...of multimedia asset data files..." on col. 2, lines 7-11.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Lafer with Plotnick to use multimedia asset data files, as taught by Lafer, for the benefit of providing a means for managing and producing multimedia assets that provide automated cataloging of multimedia assets through implicit file identification, duplicate file checking and file associations.

Plotnick and Lafer have related applications. They both teach the use of computers, the use of databases, the use of networks, the use of servers, the use of clients, the use of multimedia, the use of audio, the use of video, the use of content, and the use of reports. Plotnick provides metadata, content providers, video-on-demand servers, and usage reports and Lafer provides multimedia asset data files. For independent claim 1 the term "sequencing and planning usage" is used to suggest the term "scheduling".

Plotnick and Lafer fail to teach the use of multiple service operators.

In analogous art, Roop teaches the use of multiple service operators as follows:

"...and a multiple service/systems operator ("MSO")..." on col. 67, lines 62-63.

"...maintained by the MSO..." on col. 44, lines 55-57 and col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Plotnick and Lafer to use multiple systems

operators i.e., cable companies, which will receive the multimedia data and control its distribution.

Plotnick, Lafer, and Roop have related applications. They teach the use of computers, the use of databases, the use of networks, the use of audio, the use of video, and the use of content and Plotnick and Roop teach the use of satellites. Plotnick provides metadata, content providers, video-on-demand servers, and usage reports, Lafer provides multimedia asset data files, and Roop provides multiple systems operators.

6. In response to applicants' argument (page 16, 2nd paragraph) that Plotnick does not disclose and/or suggest uploading the multimedia asset data files and associated metadata to a VOD server maintained by an MSO, applicants should note that it is the combination of Plotnick, Lafer, and Roop as shown in the rejection below that teach said claimed limitations and not Plotnick alone.

7. In response to applicants' argument (page 16, 3rd paragraph) that Plotnick does not disclose and/or suggest a multimedia asset data file provided by at least one of a content provider and an MSO, applicants should once again note that it is the combination of Plotnick, Lafer, and Roop as shown in the rejection below that teach said claimed limitations and not Plotnick alone.

8. In response to applicants' argument (page 17, 1st and 2nd paragraphs) that none of Lafer's disclosure is related to coordinating uploading the multimedia asset data file, applicants should note that Lafer was only brought in to teach on metadata having a corresponding multimedia asset data files. In this case, identifying information associated with each multimedia asset data file. Lafer teaches "receiving a plurality of multimedia asset data files" (col. 3, lines 11-13 and col. 2, lines 7-11) and "coordinating uploading the multimedia asset data files" (col. 5, lines 41-43, col. 9, lines 65-67, and col. 2, lines 7-11). Furthermore, Lafer teaches "scheduling the uploading of the multimedia asset data file" on col. 7, lines 53-56, col. 9, lines 65-67, and col. 2, lines 7-11. Lafer also teaches "tracking the uploading of the multimedia asset data file" on col. 6, lines 42-43, col. 9, lines 65-67, and col. 2, lines 7-11.

9. In response to applicant's argument (page 18, 1st paragraph) that having a record that contains an MSO name does not coordinate uploading, schedule uploading, or track uploading, applicants should note that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

In response to applicants' remaining arguments, applicants should note that those arguments, which are based on the same reasoning above are addressed in the same manner above and that the rest are already addressed in the prior office action. Other arts are brought in to teach on an element of a claim limitation but it is the combination as a whole, as shown in the rejection below, that teach combined claimed limitations.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. Claims 1, 2, 4, 5, and 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plotnick (US 2002/0144262) in view of Lafer (US 5,748,956) and further in view of Roop (US 6,216,265).

Considering claim 1, Plotnick discloses a method comprising:

receiving metadata (paragraph 0155, lines 1-12) provided by at least one of a content provider and an MSO (paragraph 0115);

coordinating uploading associated metadata to a VOD server (paragraph 0115, 0150, 0155 and 0164) comprising

providing usage reports relating to usage of data (paragraph 0169) by end users (paragraph 0150 and 0169).

Plotnick fails to teach the use of multimedia asset data files and the use of multiple service operators.

In analogous art, Lafer teaches the use of multimedia asset data files as follows:

"...associated with a multimedia asset data file..." on col. 2, lines 7-11.

"...coordinating uploading the multimedia asset data file..." on col. 5, lines 41-43, col. 9, lines 65-67, and col. 2, lines 7-11.

"...scheduling the uploading of the multimedia asset data file..." on col. 7, lines 53-56, col. 9, lines 65-67, and col. 2, lines 7-11.

"...and tracking the uploading of the multimedia asset data file..." on col. 6, lines 42-43, col. 9, lines 65-67, and col. 2, lines 7-11.

"...of multimedia asset data files..." on col. 2, lines 7-11.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Lafer with Plotnick to use multimedia asset data files, as taught by Lafer, for the benefit of providing a means for managing and producing multimedia assets that provide automated cataloging of multimedia assets through implicit file identification, duplicate file checking and file associations.

Plotnick and Lafer have related applications. They both teach the use of computers, the use of databases, the use of networks, the use of servers, the use of clients, the use of multimedia, the use of audio, the use of video, the use of content, and the use of reports. Plotnick provides metadata, content providers, video-on-demand servers, and usage reports and Lafer provides multimedia asset data files. For independent claim 1 the term "sequencing and planning usage" is used to suggest the term "scheduling".

Plotnick and Lafer fail to teach the use of multiple service operators.

In analogous art, Roop teaches the use of multiple service operators as follows:

"...and a multiple service/systems operator ("MSO")..." on col. 67, lines 62-63.

"...maintained by the MSO..." on col. 44, lines 55-57 and col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Plotnick and Lafer to use multiple systems operators i.e., cable companies, which will receive the multimedia data and control its distribution.

Plotnick, Lafer, and Roop have related applications. They teach the use of computers, the use of databases, the use of networks, the use of audio, the use of video, and the use of content and Plotnick and Roop teach the use of satellites. Plotnick provides metadata, content providers, video-on-demand

servers, and usage reports, Lafer provides multimedia asset data files, and Roop provides multiple systems operators.

As per independent claim 20, the "...receiving a plurality of multimedia asset data files...," is taught by Lafer on col. 3, lines 11-13 and col. 2, lines 7-11,

the "...from a plurality of content providers...," is taught by Plotnick on p. 6, par. 0115,

the "...receiving metadata...," is taught by Plotnick on p. 10-11, par. 0155,

the "...associated with the plurality of multimedia asset data files...," is taught by Lafer on col. 2, lines 7-11,

the "...at least one of the plurality of content providers...," is taught by Plotnick on p. 6, par. 0115,

the "...and a plurality of MSOs...," is taught by Roop on col. 67, lines 62-63,

the "...coordinating uploading the multimedia asset data files...," is taught by Lafer on col. 5, lines 41-43, col. 9, lines 65-67, and col. 2, lines 7-11,

the "...to video-on-demand ("VOD") servers...," is taught by Plotnick p. 6, par. 0115,

the "...maintained by the MSOs...," is taught by Roop on col. 44, lines 55-57 and col. 67, lines 62-63,

the "...using an asset locator...," is taught by Plotnick on p. 15, par. 0195,

the "...assigned to each multimedia asset data file...," is taught by Lafer on col. 9, lines 8-10 and col. 2, lines 7-11,

the "...and tracking the uploading of the multimedia asset data files...," is taught by Lafer on col. 6, lines 42-43, col. 9, lines 65-67, and col. 2, lines 7-11.

As per claim 2, the "...metadata provided by at least one of a plurality of content providers...," is taught by Plotnick on p. 10-11, par. 0155 and p. 6, par. 0115 and the "...and a plurality of MSOs...," is taught by Roop on col. 220, lines 34-36.

As per claim 4, the "...coordinating uploading comprises coordinating uploading using a delivery group...," is taught by Lafer on col. 5, lines 41-43, col. 9, lines 65-67, col. 3, lines 35-39, col. 8, lines 66-67, and col. 9, lines 1-2 and the "...the delivery group comprising a plurality of multimedia asset data files...," is taught by Lafer on col. 3, lines 35-39, col. 8, lines 66-67, col. 9, lines 1-2, and col. 2, lines 7-11.

As per claim 5, the "...registering the multimedia asset data file in order to identify the file...," is taught by Lafer on col. 9, lines 30-34, col. 2, lines 7-11, and col. 8, lines 61-62,

the "...wherein registering the multimedia asset data file comprises...," is taught by Lafer on col. 9, lines 30-34 and col. 2, lines 7-11,

the "...assigning a provider identifier to a content provider...," is taught by Plotnick on p. 18, par. 0220 and p. 6, par. 0115,

the "...and assigning a unique identifier to a multimedia asset data file...," is taught by Lafer on col. 9, lines 14-15 and col. 2, lines 7-11,

the "...provided by the content provider...," is taught by Plotnick on p. 6, par. 0115,

the "...based upon the provider identifier...," is taught by Plotnick on p. 6, par. 0115 and p. 18, par. 0220,

the "...and a provider asset identification...," is taught by Lafer on col. 5, lines 48-50 and col. 9, lines 8-10,

the "...the provider asset identification...," is taught by Lafer on col. 5, lines 48-50 and col. 9, lines 8-10,

the "...being included with the multimedia asset data file...," is taught by Lafer on col. 7, lines 32-33 and col. 2, lines 7-11,

and the "...by the content provider...," is taught by Lafer on col. 5, lines 48-50.

As per claim 15, the "...receiving from the VOD server...," is taught by Plotnick on p. 6, par. 0115,

the "...data on feature elements...," is taught by Lafer on col. 8, lines 39-42, col. 5, lines 38-40, and col. 1, lines 31-39,

the "...requested by end users...," is taught by Plotnick on p. 7, par. 0123,

the "...of the MSO...," is taught by Roop on col. 67, lines 62-63,

the "...creating a master reporting database...," is taught by Plotnick on p. 11, par. 0157, p. 12, par. 0169, and p. 11, par. 0158,

the "...using the data on feature elements...," is taught by Lafer on col. 8, lines 39-42, col. 5, lines 38-40, and col. 1, lines 31-39,

the "...requested by end users...," is taught by Plotnick on p. 7, par. 0123,

the "...and generating a usage report...," is taught by Lafer on col. 7, lines 37-39 and col. 8, lines 30-31,

and Plotnick teaches the "using the data contained in the master reporting database," on p. 11, par. 0157, p. 12, par. 0169, and p. 11, par. 0158.

As per claim 16, the "...restricting access by a content provider...," is taught by Plotnick on p. 8, par. 0132, p. 10, par. 0153, and p. 6, par. 0115,

the "...to the data contained in the master reporting database...," is taught by Plotnick on p. 11, par. 0157, p. 12, par. 0169, and p. 11, par. 0158,

the "...using business rules...," is taught by Plotnick on p. 14, par. 0182, and the "...provided by the MSO....," is taught by Roop on col. 33, lines 32-33 and col. 67, lines 62-63.

For claim 16, the term "limit" is used to suggest the term "restrict".

As per claim 17, the "...analyzing the usage report...," is taught by Lafer on col. 6, lines 43-47, col. 8, lines 30-31, and col. 7, lines 37-39,

the "...to determine end user viewing characteristics...," is taught by Plotnick on p. 14, par. 0185 and p. 11, par. 0161,

the "...and generating an advertising play list...," is taught by Plotnick on p. 15, par. 0194,

the "...targeted to an end user...," is taught by Plotnick on p. 17, par. 0207,

the "...based upon the viewing characteristics of the end user...," is taught by Plotnick on p. 14, par. 0185 and p. 11, par. 0161,

the "...wherein the advertising play list comprises advertising...," is taught by Plotnick on p. 15, par. 0194,

and the "...selected based upon the viewing characteristics of the end user...," is taught by Plotnick on p. 14, par. 0185 and p. 11, par. 0161.

As per claim 18, the "...supplementing a multimedia asset data file...," is taught by Lafer on col. 4, lines 12-13 and col. 2, lines 7-11,

the "...with data contained in the usage report...," is taught by Lafer on col. 8, lines 30-31 and col. 7, lines 37-39,

the "...wherein the usage report comprises usage data...," is taught by Lafer on col. 8, lines 30-31 and col. 7, lines 37-39,

and the "...for the multimedia asset data file...," is taught by Lafer on col. 2, lines 7-11.

As per claim 19, the "...analyzing the usage report...," is taught by Lafer on col. 6, lines 43-47, col. 8, lines 30-31, and col. 7, lines 37-39,

the "...to determine end user viewing characteristics...," is taught by Plotnick on p. 14, par. 0185 and p. 11, par. 0161,

the "...selecting multimedia asset data files...," is taught by Lafer on col. 5, lines 30-33 and col. 2, lines 7-11,

the "...based upon end user viewing characteristics...," is taught by Plotnick on p. 14, par. 0185 and p. 11, par. 0161,

the "...and performing a campaign management function...," is taught by Plotnick on p. 10, par. 0153,

the "...chosen from the group consisting of bundling selected multimedia asset data files...," is taught by Lafer on col. 6, lines 39-41 and col. 2, lines 7-11,

the "...setting pricing...," is taught by Plotnick on p. 10, par. 0153,

the "...for selected multimedia asset data files...," is taught by Lafer on col. 5, lines 30-33 and col. 2, lines 7-11,

the "...and setting promotions...," is taught by Plotnick on p. 10, par. 0148,

and the "...for selected multimedia asset data files...," is taught by Lafer on col. 5, lines 30-33 and col. 2, lines 7-11.

For claim 19, the terms "determine", "grouping", and "advertise" are use to suggest the terms "select", "bundling", and "promotion".

As per claim 21, the "...validating the multimedia asset data files...," is taught by Lafer on col. 6, lines 43-47 and col. 2, lines 7-11,

the "...by determining if the received multimedia asset data files...," is taught by Plotnick on p. 10-11, par. 0155,

the "...and multimedia asset data files...," is taught by Lafer on col. 2, lines 7-11,

the "...comply with business rules...," is taught by Plotnick on p. 14, par. 0182,

and the "...provided by the MSOs...," is taught by Roop on col. 33, lines 32-33 and col. 67, lines 62-63.

As per claim 22, the "...coordinating uploading the associated metadata...," is taught by Plotnick on p. 10, par. 0150,

the "...for the multimedia asset data files...," is taught by Lafer on col. 2, lines 7-11,

the "...to the VOD servers...," is taught by Plotnick on p. 6, par. 0115,

the "...distributing a localized master schedule...," is taught by Plotnick on p. 9, par. 0142 and p. 11, par. 0164,

the "...to each MSO...," is taught by Roop on col. 67, lines 62-63,

the "...and providing a schedule update...," is taught by Plotnick on p. 11, par. 0164,

the "...from the VOD management system...," is taught by Plotnick on p. 6, par. 0115 and p. 11, par. 0164,

the "...to each MSO...," is taught by Roop on col. 67, lines 62-63,

and the "...at regular intervals...," is taught by Roop on col. 48, lines 63-66.

As per claim 23, the "...tracking uploading the multimedia asset data files...," is taught by Lafer on col. 6, lines 42-43, col. 9, lines 65-67, and col. 2, lines 7-11,

the "...and the associated metadata...," is taught by Plotnick on p. 11-12, par. 0155,

the "...to the VOD servers...," is taught by Plotnick on p. 6, par. 0115,

the "...by reference to each MSO's...," is taught by Roop on col. 25, lines 7-8,

and the "...localized master schedule...," is taught by Plotnick on p. 9, par. 0142 and p. 11, par. 0164.

As per claim 24, the "...each schedule update...," is taught by Plotnick on p. 11, par. 0164,

the "...comprises instructions for inserting and deleting...," is taught by Plotnick on p. 12, par. 0170 and p. 11, par. 0161,

the "...multimedia asset data files...," is taught by Lafer on col. 2, lines 7-11,

the "...from each MSO's...," is taught by Roop on col. 25, lines 7-8,

and Plotnick teaches the "localized master schedule," on p. 9, par. 0142 and p. 11, par. 0164.

12. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Plotnick, Lafer, and Roop as applied to claim 1 above, and further in view of van Zee et al. (U.S. Patent No. 7,058,685).

As per claim 3, the "...tracking receipt of the multimedia asset data file in elements...," is taught by Lafer on col. 6, lines 42-43, col. 3, lines 11-13, col. 2, lines 7-11, and col. 1, lines 31-39,

the "...the elements comprising at least one of a feature file...," is taught by Lafer on col. 1, lines 31-39 and col. 5, lines 34-38,

Plotnick teaches the "preview file, a graphic file," on p. 19, par. 0232 and p. 8, par. 0129,

the "...and associated basic metadata...," is taught by Plotnick on p. 10-11, par. 0155 and p. 10, par. 0150,

the "...wherein the associated basic metadata comprises information on the elements...," is taught by Plotnick on p. 10-11, par. 0155, p. 10, par. 0150,

the "...receiving an identification of the MSOs...," is taught by Roop on col. 48, lines 57-59 and col. 61, lines 62-63,

the "...scheduled to receive the multimedia asset data file...," is taught by Lafer on col. 7, lines 53-56, col. 3, lines 11-13, and col. 2, lines 7-11,

the "...from the content provider...," is taught by Plotnick on p. 6, par. 0115,

the "...and receiving delivery dates for delivery...," is taught by Roop on col. 30, lines 1-3, col. 61, lines 23-25, and col. 10, lines 16-19,

the "...of the multimedia asset data file...," is taught by Lafer on col. 2, lines 7-11,

the "...to each of the MSOs...," is taught by Roop on col. 61, lines 62-63,

but the "...used to confirm delivery of the elements...," is not taught by neither Plotnick, Lafer, nor Roop.

In analogous art, van Zee teaches the confirming of delivery of elements as follows:

"...The checksum values are validated, and the appliance receiving the e-media then sends back a unique token, such as an encrypted key, to the digital content delivery service confirming that the delivery was complete..." on col. 9, lines 7-10.

"...The tracing information may be "packaged" with the e-media and sent to the digital content delivery service. The delivery service gathers the pertinent components to fulfill the sender's request..." on col. 5, lines 32-35.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine van Zee with Plotnick, Lafer, and Roop to confirm delivery of the elements in order to provide feedback to the transmitting station that all of multimedia data has been successfully transmitted.

Plotnick, Lafer, Roop, and van Zee have related applications. They teach the use of computers, the use of databases, the use of networks, the use of audio, and the use of content. Plotnick provides metadata, content providers, video-on-demand servers, and usage reports, Lafer provides multimedia asset data files, Roop provides multiple systems operators, and van Zee provides confirmation of the delivery of the elements.

13. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plotnick, Lafer, and Roop as applied to claim 1 above, and further in view of Hoffberg (U.S. Patent No. 6,850,252).

As per claim 6, the "...staging multimedia asset data file...," is taught by Lafer on col. 5, lines 29-34 and col. 2, lines 7-11,

the "...by entering a name for the multimedia asset data file...," is taught by Lafer on col. 3, lines 16-18, col. 8, lines 61-62, and col. 2, lines 7-11,

the "...into a staging directory...," is taught by Lafer on col. 5, lines 29-34, and col. 9, lines 30-34,

the "...for the multimedia asset data file...," is taught by Lafer col. 2, lines 7-11,

the "...comprising distribution information, scheduling information, content information and an identification...," is taught by Plotnick on p. 10, par. 0148, p. 11, par. 0164, p. 6, par. 115, and p. 15, par. 0195,

the "...for the multimedia asset data file...," is taught by Lafer on col. 2, lines 7-11,

the "...wherein the content information comprises data to enable retrieval of a plurality of elements...," is taught by Lafer on col. 7, lines 53-56, col. 6, lines 29-31, and col. 1, lines 312-39,

and the "...to assemble the multimedia asset data file...," is taught by Lafer on col. 4, lines 48-50 and col. 2, lines 7-11,

but the "...and providing a master markup language file...,"

and neither Plotnick, Lafer, nor Roop teach the "master markup language file,".

In analogous art, Hoffberg teaches the use of markup languages as follows:

"...The data from a web server or embedded web server may include a binary file, a generic HTML/XML file, or other data type..." on col. 111, lines 51-53.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hoffberg with Plotnick, Lafer, and Roop to use markup language files in order to use a standard means of providing data from web servers. Plotnick, Lafer, Roop, and Hoffberg have related applications. They teach the use of computers, the use of databases, the use of networks, the use

of audio, the use of video, and the use of content and Plotnick, Roop, and Hoffberg teach the use of satellites. Plotnick provides metadata, content providers; video-on-demand servers, and usage reports, Lafer provides multimedia asset data files, Roop provides multiple systems operators, and Hoffberg provides markup language files. For claim 6, the term "catalog" is used to suggest the term "directory".

As per claim 7, the "...elements used to assemble the multimedia asset data file...," is taught by Lafer on col. 1, lines 31-39, col. 4, lines 48-50, and col. 2, lines 7-11,

the "...comprise at least one of a movie or feature file...," is taught by Lafer on col. 5, lines 34-38,

and the "...preview file, and a graphic file...," is taught by Plotnick on p. 19, par. 0232 and p. 8, par. 0129.

14. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Plotnick, Lafer, and Roop as applied to claim 1 above, and further in view of Hoffberg and N2Broadband ("Creating Scalable Solutions for VOD ...and Beyond").

As per claim 8, the "...multimedia asset data file comprises a plurality of elements...," is taught by Lafer on col. 2, lines 7-11 and col. 1, lines 31-39,

the "...and tracking uploading comprises...," is taught by Plotnick on p. 12, par. 0170 and p. 10, par. 0150,

the "...tracking transmission of the elements of the multimedia asset data file...," is taught by Lafer on col. 6, lines 42-43, col. 3, lines 11-15, col. 1, lines 31-39, and col. 2, lines 7-11,

the "...to the MSO...," is taught by Roop on col. 67, lines 62-63,

the "...tracking receipt of the elements of the multimedia asset data file...," is taught by Lafer on col. 6, lines 42-43, col. 3, lines 11-15, col. 1, lines 31-39, and col. 2, lines 7-11,

the "...if any one of the elements of the multimedia asset data file...," is taught by Lafer on col. 1, lines 31-39 and col. 2, lines 7-11,

and the "...is not successfully received...," is taught by Roop on col. 12, lines 33-34 and col. 31, lines 12-14,

but the "...and receiving an alarm signal...," the "...using a pitcher appliance...," the "...using a catcher appliance...," and the "...by the catcher appliance...," are not taught by either Plotnick, Lafer, or Roop.

For claim 8, the term "fail" is used to suggest the term "not successful".

In analogous art, Hoffberg teaches the use of alarm signals as follows:

"...An alarm system would be generally deactivated, although various zones may be provided with different protection; e.g., a master suite may be off-limits, with an alarm transmitting a signal to a user's beeper, rather than a call to police or alarm service company..." on col. 191, lines 11-16.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hoffberg with Plotnick, Lafer, and Roop to provide alarm signals in order to alert the user of initiation of an event, such as starting a dishwasher.

Plotnick, Lafer, Roop, and Hoffberg have related applications. They teach the use of computers, the use of databases, the use of networks, the use of audio, the use of video, and the use of content and Plotnick, Roop, and Hoffberg teach the use of satellites. Plotnick provides metadata, content providers, video-on-demand servers, and usage reports, Lafer provides multimedia asset data files, Roop provides multiple systems operators, and Hoffberg provides alarm signals.

Hoffberg does not provide pitcher and catcher appliances.

In analogous art, N2Broadband provides pitcher and catcher appliances as follows:

"...The MediaPath™ Catcher receives content packages from the MediaPath™ Pitcher then notifies and delivers the packages directly to an authorized video server, removing the need for manual functions..." at Products and Services, MediaPath™ Catcher.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine N2Broadband with Plotnick, Lafer, Roop, and Hoffberg to provide pitcher and catcher appliances in order to transmit content packages and deliver these packages to authorized video servers.

Plotnick, Lafer, Roop, Hoffberg, and N2Broadband have related applications. They teach the use of networks, the use of video, and the use of content and Plotnick, Roop, Hoffberg, and N2Broadband teach the use of satellites. Plotnick provides metadata, content providers, video-on-demand servers, and usage reports, Lafer provides multimedia asset data files, Roop provides multiple systems operators, Hoffberg provides alarm signals, and N2Broadband provides pitcher and catcher appliances.

15. Claims 9-11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plotnick, Lafer, and Roop as applied to claim 1 above, and further in view of N2Broadband.

As per claim 9, the "...multimedia asset data file...," is taught by Lafer on col. 2, lines 7-11,

the "...is identified with an asset locator...," is taught by Plotnick on p. 15, par. 0195,

the "...and the tracking uploading comprises...," is taught by Plotnick on p. 12, par. 0170 and p. 10, par. 0150,

the "...providing the asset locator to the VOD server...," is taught by Plotnick on p. 15, par. 0195 and p. 6, par. 0115,

the "...providing a schedule to the VOD server...," is taught by Plotnick on p. 12, par. 0170 and col. 220, lines 52-54,

the "...comprising instructions for the VOD server to request...," is taught by Plotnick on p. 12, par. 0170, col. 220, lines 52-54, and p. 6-7, par. 0116,

the "...the multimedia asset data file...," is taught by Lafer on col. 2, lines 7-11,

the "...and metadata from the VOD management system...," is taught by Plotnick on p. 10-11, p. 0116, p. 6, par. 0115, and p. 11, par. 0164,

the "...and tracking retrieval of the multimedia asset data file...," is taught by Lafer on col. 6, lines 42-43, col. 6, lines 29-31, and col. 2, lines 7-11,

the "...and associated metadata...," is taught by Plotnick on p. 10-11, par. 0155,

the "...by initiating file transfers using the asset locator....," is taught by Plotnick on p. 19, par. 0229, p. 11, par. 0164, and p. 15, par. 0195,

but the "...from a catcher...," is not taught by neither Plotnick, Lafer, nor Roop.

In analogous art, N2Broadband provides catcher appliances as follows:

"...The MediaPath™ Catcher receives content packages from the MediaPath™ Pitcher then notifies and delivers the packages directly to an authorized video server, removing the need for manual functions..." at Products and Services, MediaPath™ Catcher.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine N2Broadband with Plotnick, Lafer, and Roop to provide catcher appliances in order to transmit content packages from pitchers and deliver these packages to authorized video servers.

Plotnick, Lafer, Roop, and N2Broadband have related applications. They teach the use of networks, the use of video, and the use of content and Plotnick, Roop, and N2Broadband teach the use of satellites. Plotnick provides metadata, content providers, video-on-demand servers, and usage reports, Lafer provides

multimedia asset data files, Roop provides multiple systems operators, and N2Broadband provides catcher appliances.

As per claim 10, the "...file transfer is a file transfer protocol ("FTP") transfer...," is taught by Roop on col. 9, lines 58-62.

As per claim 11, the "...tracking uploading further comprises ...," is taught by Plotnick on p. 12, par. 0170 and p. 10, par. 0150,

the "...providing an asset locator...," is taught by Plotnick on p. 15, par. 0195,

the "...identifying an element of the multimedia asset data file...," is taught by Lafer

the "...to the VOD server...," is taught by Plotnick on p. 6, par. 0115,

the "...VOD server submitting the asset locator...," is taught by Plotnick on p. 6, par. 0115, p. 19, par. 0232, and p. 15, par. 0195,

the "...to a catcher appliance...," is taught by N2Broadband at Products and Services, MediaPath™ Catcher,

the "...tracking transmission of the element...," is taught by Lafer on col. 6, lines 42-43, col. 3, lines 11-15, and col. 1, lines 31-39,

the "...from the catcher appliance...," is taught by N2Broadband at Products and Services, MediaPath™ Catcher,

the "...to the VOD server...," is taught by Plotnick on p. 6, par. 0115,

the "...using the asset locator...," is taught by Plotnick on p. 15, par. 0195,

the "...to retrieve the element...," is taught by Lafer on col. 6, lines 29-31 and col. 1, lines 31-39.

As per claim 14, Plotnick teaches the "asset locator is an asset Uniform Resource Locator (URL)," on p. 15, par. 0195 and p. 13, par. 0179.

16. Claims 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Plotnick, Lafer, Roop and N2Broadband as applied to claim 11 above, and further in view of Hoffberg.

As for claim 12, the "...from the VOD server...," is taught by Plotnick on p. 6, par. 0115,

the "...if the feature element...," is taught by Lafer on col. 5, lines 38-40 and col. 1, lines 31-39,

the "...was not properly received...," is taught by Roop on col. 12, lines 33-34 and col. 31, lines 12-14,

but neither Plotnick, Lafer, Roop, nor N2Broadband teach "...receiving an alarm signal...".

In analogous art, Hoffberg teaches the use of alarm signals as follows:

"...An alarm system would be generally deactivated, although various zones may be provided with different protection; e.g., a master suite may be off-limits, with an alarm transmitting a signal to a user's beeper, rather than a call to police or alarm service company..." on col. 191, lines 11-16.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hoffberg with Plotnick, Lafer, Roop, and N2Broadband to provide alarm signals in order to alert the user of initiation of an event, such as starting a dishwasher.

Plotnick, Lafer, Roop, N2Broadband, and Hoffberg have related applications. They teach the use of networks, the use of video, and the use of content, Plotnick, Lafer, Roop, and Hoffberg teach the use of computers, the use of databases, and the use of audio, and Plotnick, Roop, N2Broadband, and Hoffberg teach the use of satellites. Plotnick provides metadata, content providers, video-on-demand servers, and usage reports, Lafer provides multimedia asset data files, Roop provides multiple systems operators, N2Broadband provides catcher appliances, and Hoffberg provides alarm signals.

As per claim 13, the "...performing a follow-up or diagnosis...," is taught by Roop on col. 19, lines 62-67,

the "...upon receiving the alarm...," is taught by Hoffberg on col. 191, lines 11-16,

the "...indicating that the element...," is taught by Lafer on col. 1, lines 31-39,

and Roop on col. 12, lines 33-34 and col. 31, lines 12-14, teaches the improperly receiving step.

17. Claims 25-27, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swart et al. (US 2003/0028890) in view of Gaudian (US 2001/0025255) and further in view of Roop (US 6,216,265).

Swart renders obvious independent claim 25 by the following:

"...associated with the content provided by a content provider..." on p. 15, par. 0112 and p. 7, par. 0073.

"...coordinating distribution of the metadata and the content..." on p. 14-158, par. 0109.

"...and coordinating uploading the metadata and the content to a server for delivery to an end user..." on p. 16, par. 0116, p. 14-15, par. 0109, and p. 7, par. 0073.

Swart does not teach the ingesting of content and metadata.

In analogous art, Gaudian teaches the ingesting of content and metadata as follows:

"...ingesting content and metadata..." on p. 2, par. 0017.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Gaudian with Swart to ingest content and metadata in order to allow content providers to upload digital content and associated metadata into their respective sites.

Swart and Gaudian have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, the use of content providers, and the use of satellites. Swart provides metadata, content providers, distribution of content and metadata, and uploading content and metadata and Gaudian ingests content and metadata.

Swart and Gaudian fail to teach the use of multiple service operators.

In analogous art, Roop teaches the use of multiple service operators as follows:

"...and a multiple service/systems operator ("MSO")..." on col. 67, lines 62-63.

"...maintained by the MSO..." on col. 44, lines 55-57 and col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Swart and Gaudian to use multiple systems operators i.e., cable companies, which will receive the multimedia data and control its distribution.

As per claim 26, Swart teaches the "providing visibility into usage of the content," on p. 3, par. 0045 and p. 16, par. 0116.

As per claim 27, the "...registering the content...," is taught by Swart on p. 18, par. 0124

and Swart teaches the "coordinating accessing the content located in one of an internal location and an external location," on p. 14-15, par. 0109, p. 15-16, par. 0113, and p. 15, par. 0110.

For claim 27, the terms "within" and "log" are used to suggest the terms "internal" and "register", respectively.

As per claim 31, the "...customizing an electronic program guide (EPG)...," is taught by Swart on p. 5, par. 0061 and p. 6, par. 0066.

As per claim 32, the "...providing an interface to allow a user to view and analyze metadata...," is taught by Swart on p. 14, par. 0108, p. 4, par. 0056, and p. 8, par. 0078
and the "...and scheduling information associated with the content...," is taught by Swart on p. 16, par. 0116 and p. 17, par. 0120.

18. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swart, Gaudian and Roop as applied to claim 25 above, and further in view of Piikivi et al. (US 2003/0115454).

As per claim 28, the "...assigning a provider identifier to the content provider...," is taught by Swart on p. 10, par. 0092 and p. 12, par. 0098,
the "...based on the provider identifier and a provider asset identifier....," is taught by Swart on p. 12, par. 0098 and p. 2, par. 0092,

but the "...and assigning a globally unique identifier to the content...," is not taught by neither Swart, Gaudian nor Roop.

In analogous art, Piikivi teaches assigning a globally unique identifier to the content as follows:

"...The inventor has found that if a user or user equipment is provided with an unique identifier the origin of data content may be reliably determined is the data is modified to carry a digital identification that is indicative of said unique identifier. Based on a unique identifier code the content can then be later on tied to the user equipment and/or the user.
A possible unique identifier can be provided based on the international mobile equipment identity (IMEI) code 9 of the mobile station 1. The IMEI code is a global unique identifier that is assigned for the mobile station 1 during the manufacture thereof..." on p. 2, par. 0035-0036.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Piikivi with Swart, Gaudian and Roop to assigning a globally unique identifier to the content in order to provide a unique identifier associating the data content with the origin of the data content.

As per claim 29, the "...receiving business rules...," is taught by Swart on p. 16-17, par. 0117 and p. 7-8, par. 0075,

the "...and validating the metadata and the content using the business rules...," is taught by Swart on p. 6-7, par. 0069 and p. 7-8, par. 0075,

but the "...from a multiple service/systems operator (MSO)...," is not taught by either Swart or Gaudian.

In analogous art, Roop teaches using a multi service operator as follows:

"...If cable, this may be a system operated by a Multiple System Operator (MSO)..." on col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Swart and Gaudian to use multiple systems operators in order to identify cable companies, which will receive the multimedia data and control its distribution.

Swart, Gaudian, and Roop have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, the use of content, and the use of satellites. Swart provides metadata, content providers, distribution of content and metadata, and uploading content and metadata, Gaudian ingests content and metadata, and Roop provides multiple systems operators.

19. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Swart, Gaudian, and Roop as applied to claim 25 above, and further in view of Chelliah et al. (U.S. Patent No. 5,710,887) and Skidmore (U.S. Patent No. 5,488,714).

A per claim 30, the "...receiving the business rules...," is taught by Swart on p. 16-17, par. 0117 and p. 7-8, par. 0075,

the "...including at least one of a rating filter...," is taught by Swart on p. 1-2, par. 0020 and p. 4, par. 0054,

the "...category rule...," is taught by Swart on p. 5, par. 0062 and p. 7-8, par. 0075, but the "...pricing rule..." and the "...and a platform conversion rule...," are not taught by either Swart, Gaudian, or Roop.

In analogous art, Chelliah teaches the use of pricing rules as follows:

"...The Sales Representative 114 obtains pricing information from the Incentives Subsystem 160 to get pricing rules, and then passing the selection list and the pricing rules to the Pricing Engine 120, which calculates and returns discounted prices by matching the selection list against the pricing rules using product information from the Product Database 116..." on col. 12, lines 44-50.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Chelliah with Swart, Gaudian, and Roop to use pricing rules in order to calculate discounted prices for the multimedia assets.

Swart, Gaudian, Roop, and Chelliah have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, and the use of content. Swart provides metadata, content providers, distribution of content and metadata, and uploading content and metadata, Gaudian ingests content and metadata, Roop provides multiple systems operators, and Chelliah provides pricing rules.

Chelliah does not teach the use of platform conversion rules.

In analogous art, Skidmore teaches the use of platform conversion rules as follows:

"...Knowledge of the 64 MByte conversion requirements exists in a group of rules which embody the facts and guidelines one would apply in converting OS/3 source code to the 64 MByte platform..." on col. 4, lines 13-16.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Skidmore with Swart, Gaudian, Roop, and Chelliah to use platform conversion rules in order to adapt computer programs to different architectures. Swart provides metadata, content providers, distribution of content and metadata, and uploading content and metadata, Gaudian ingests content and metadata, Roop provides multiple systems operators, Chelliah provides pricing rules, and Skidmore provides platform conversion rules.

20. Claims 33 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swart and Gaudian as applied to claim 25 above, and further in view of Roop and N2Broadband.

As per claim 33, the "...interacting with an asset distribution system (ADS)...," is taught by Swart on p. 1-2, par. 0020,

the "...to facilitate delivery of the content from a content provider...," is taught by Swart on p. 1-2, par. 0020,

the "...ADS...," is taught by Swart on p. 1-2, par. 0020, but the "...MSO..." and neither Swart nor Gaudian teach the "including a pitcher and a catcher,".

In analogous art, Roop teaches the use of multiple service operators as follows:

"...If cable, this may be a system operated by a Multiple System Operator (MSO)..." on col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Swart and Gaudian to use multiple systems operators in order to identify cable companies, which will receive the multimedia data and control its distribution.

Swart, Gaudian, and Roop have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, the use of content, and the use of satellites. Swart provides metadata, content providers, distribution of content and metadata, and uploading content and metadata, Gaudian ingests content and metadata, and Roop provides multiple systems operators.

Roop does not teach the use of pitchers and catchers.

In analogous art, N2Broadband teaches the use of pitchers and catchers as follows:

"...The MediaPath™ Catcher receives content packages from the MediaPath™ Pitcher then notifies and delivers the packages directly to an authorized video server, removing the need for manual functions..." at Products and Services, MediaPath™ Catcher.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine N2Broadband with Swart, Gaudian, and Roop to provide pitcher and catcher appliances in order to transmit content packages and deliver these packages to authorized video servers.

Swart, Gaudian, Roop, N2Broadband and have related applications. They teach the use of networks, the use of video, the use of content, and the use of satellites. Swart provides metadata, content providers, distribution of content and metadata, and uploading content and metadata, Gaudian ingests content and metadata, Roop provides multiple systems operators, and N2Broadband provides pitchers and catchers.

As per claim 35, the "...receiving a schedule request...," is taught by Roop on col. 57, lines 56-58, col. 10, lines 48-50, col. 57, lines 66-67,and col. 58,line 1,

the "...from a server...," is taught by Swart on p. 2-3, par. 0039,

the "...providing a customized or localized master schedule...," is taught by Roop on col. 10, lines 48-50,

the "...for MSO...," is taught by Roop on col. 67, lines 62-63.

the "...to the server...," is taught by Swart on p. 2-3, par. 0039,

the "...master schedule...," is taught by Roop on col. 10, lines 48-50,

the "...having an asset locator...," is taught by Gaudian on p. 3, par. 0039,

the "...receiving a metadata locator...," is taught by Gaudian on p. 2, par. 0017 and p. 3, par. 0039,

the "...corresponding to the content from the server...," is taught by Swart on p. 2-3, par. 0039,

the "...providing an asset locator...," is taught by Gaudian on p. 3, par. 0039,

the "...to the server...," is taught by Swart on p. 2-3, par. 0039,

the "...in response to the metadata locator...," is taught by Gaudian on p. 2, par. 0017 and p. 3, par. 0039,

the "...server retrieving an element of the content...," is taught by Swart on p. 2-3, par. 0039 and p. 9, par. 0088,

the "...from a catcher...," is taught by N2Broadband at Products and Services, MediaPath™ Catcher,

the "...using the asset locator...," is taught by Gaudian on p. 3, par. 0039, the "...and interacting with the server during transfer of the element of the content...," is taught by Swart on p. 2-3, par. 0039 and p. 9, par. 0088, and the "...from the catcher to the server...," is taught by N2Broadband at Products and Services.

21. Claims 34, 36, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swart, Gaudian, Roop, and N2Broadband as applied to the claims above, and further in view of Hoffberg.

As per claim 34, the "...receiving information regarding when a transmission of an element of the content...," is taught by Swart on p. 12, par. 0100 and p. 9, par. 0088,

the "...is initiated from the pitcher...," is taught by N2Broadband at Products and Services,

the "...requesting retransmission of the element...," is taught by Swart on p. 12, par. 0100 and p. 9, par. 0088,

the "from the catcher...," is taught by N2Broadband at Products and Services,

the "...and tracking a request from a server to release the content received...," is taught by Swart on p. 3, par. 0045, p. 3, par. 0046, and p. 2-3, par. 0043,

the "...by the catcher...," is taught by N2Broadband at Products and Services,

the "...and tracking delivery of content...," is taught by Swart on p. 3, par. 0045 and p. 2-3, par. 0043,

the "...from the catcher...," is taught by N2Broadband at Products and Services,

the "...to the server...," is taught by Swart p. 2-3, par. 0043,

but the "...if an alarm is received...," is not taught by neither Swart, Gaudian, Roop, nor N2Broadband.

In analogous art, Hoffberg teaches receiving alarms as follows:

"...An alarm system would be generally deactivated, although various zones may be provided with different protection; e.g., a master suite may be off-limits, with an alarm transmitting a signal to a user's beeper, rather than a call to police or alarm service company..." on col. 191, lines 11-16.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hoffberg with Swart, Gaudian, Roop, and N2Broadband to provide alarm signals in order to alert the user of initiation of an event, such as starting a dishwasher. Swart, Gaudian, Roop, N2Broadband, and Hoffberg have related applications. They teach the use of networks, the use of video, the use of content, and the use of satellites. Swart provides metadata, content providers, distribution of content and metadata, and uploading content and metadata, Gaudian ingests content and metadata, Roop provides multiple systems

operators, N2Broadband provides pitchers and catchers, and Hoffberg provides alarm signals.

As per claim 36, the "...providing the asset locator comprises...," is taught by Gaudian on p. 3, par. 0039,

the "...re-transmitting the asset locator...," is taught by Gaudian on p. 3, par. 0042 and p. 3, par. 0039,

the "...upon receiving an alarm...," is taught by Hoffberg on col. 191, lines 11-16,

the "...from the server...," is taught by Swart p. 2-3, par. 0043,

the "...indicating that the asset locator...," is taught by Gaudian on p. 3, par. 0039,

the "...is not received properly...," is taught by Roop on col. 12, lines 33-34 and col. 31, lines 12-14,

and the "...by the server...," is taught by Swart p. 2-3, par. 0043.

As per claim 37, the "...interacting with the server comprises...," is taught by Swart p. 2-3, par. 0043,

the "...performing a follow-up or diagnosis...," is taught by Roop on col. 19, lines 62-67,

the "...upon receiving an alarm...," is taught by Hoffberg on col. 191, lines 11-16,

the "...from the server...," is taught by Swart p. 2-3, par. 0043,

the "...indicating that the element...," is taught by Swart on p. 9, par. 0088,

the "...is not received properly...," is taught by Roop on col. 12, lines 33-34 and col. 31, lines 12-14,

and the "...by the server...," is taught by Swart p. 2-3, par. 0043.

22. Claims 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swart and Gaudian as applied to claim 26 above, and further in view of Roop and Plotnick.

As per claim 38, the "...providing visibility into usage of the content comprises...," is taught by Swart on p. 3, par. 0045 and p. 16, par. 0116,

the "...or a content provider...," is taught by Swart on p. 7, par. 0073,

but the "...preparing a usage report...,"

the "...providing access to the usage report...,"

and the "...to a multiple service or systems operator (MSO)...," are not taught by either Swart or Gaudian.

In analogous art, Roop teaches the use of multiple service operators as follows:

"...If cable, this may be a system operated by a Multiple System Operator (MSO)..." on col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Swart and Gaudian to use multiple systems operators in order to identify cable companies, which will receive the multimedia data and control its distribution.

Swart, Gaudian, and Roop have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, the use of content, and the use of satellites. Swart provides metadata, content providers, distribution of content and metadata, and uploading content and metadata, Gaudian ingests content and metadata, and Roop provides multiple systems operators.

Roop does not teach the use of usage reports.

In analogous art, Plotnick teaches the use of usage reports as follows:

"...The ad availability information 1158 and the ad play reports 1160 are formatted 1162 to create reports/logs 1164 that are forwarded to the T&B system 712..." on p. 12, par. 0169.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Plotnick with Swart, Gaudian, and Roop to use usage reports in order to provide the sales force with feedback on how often the ads (assets) were displayed.

Swart, Gaudian, Roop, and Plotnick have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, the use of content, and the use of satellites. Swart provides metadata, content providers, distribution of content and metadata, and uploading content and metadata, Gaudian ingests content and metadata, Roop provides multiple systems operators, and Plotnick provides usage reports.

As per claim 39, the "...creating a master reporting database including usage information...," is taught by Plotnick on p. 12, par. 0169
and the "...from across a MSO network...," is taught by Roop on col. 67, lines 62-63 and col. 73, lines 41-43.

As per claim 40, the "...exporting the usage report...," is taught by Plotnick on p. 12, par. 0169
and the "...to an analysis system...," is taught by Swart on p. 8, par. 0078.

23. Claims 41 - 43 and 46 - 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sim et al. (U.S. 7,047,287), Swart et al. (US 2003/0028890), in view of Gaudian (US 2001/0025255) and further in view of Roop (US 6,216,265).

Sim renders obvious independent claim 41 by the following:
"...an external layer to interface to an application client..." on col. 6, lines 59-61 and col. 7, lines 1-4.
"...a component programmatic application program interface (API)..." on col. 7, lines 59-61.
"...coupled to the external layer to interface to a plurality of engines comprising..." on col. 6, lines 59-61 and col. 40, lines 21-25.
"...provided by a content provider..." at col. 25, lines 10-13
"...and a relational database to store the metadata..." on col. 38, lines 40-42 and col. 37, lines 63-67.

Sim does not teach coordinating distribution of the metadata and the content, coordinating uploading the metadata and the content, and ingesting a content and metadata associated with the content.

In analogous art, Swart teaches coordinating distribution of the metadata and the content and coordinating uploading the metadata and the content as follows:

"...coordinating distribution of the metadata and the content..." on p. 14-15, par. 0109.

"...and coordinating uploading the metadata and the content to a server for delivery to an end user..." on p. 16, par. 0116, p. 14-15, par. 0109, and p. 7, par. 0073.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Swart with Sim to coordinate distribution of the metadata and the content and to coordinate uploading the metadata and the content in order act as an interface to a wide area distribution system for system users.

Sim and Swart have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, and the use of content providers. Sim Provides external interfaces, clients, application program interfaces, content providers, and storing metadata

in a relational database and Swart coordinates distribution of the metadata and the content and coordinates uploading the metadata and the content.

Swart does not teach the ingesting of content and metadata.

In analogous art Gaudian teaches the ingesting of content and metadata as follows:

"...a workflow engine to manage workflows of ingesting a content and metadata associated with the content..." on p. 2, par. 0017.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Gaudian with Sim and Swart to ingest content and metadata in order to allow content providers to upload digital content and associated metadata into their respective sites.

Sim, Swart, and Gaudian have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, and the use of content providers and Swart and Gaudian teach the use of satellites. Sim provides external interfaces, clients, application program interfaces, content providers, and storing metadata in a relational database, Swart coordinates distribution of the metadata and the content and coordinates uploading the metadata and the content, and Gaudian ingests content and metadata.

Sim, Swart, and Gaudian fail to teach the use of multiple service operators.

In analogous art, Roop teaches the use of multiple service operators as follows:

"...and a multiple service/systems operator ("MSO")..." on col. 67, lines 62-63.

"...maintained by the MSO..." on col. 44, lines 55-57 and col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Sim, Swart, and Gaudian to use multiple systems operators i.e., cable companies, which will receive the multimedia data and control its distribution.

As per claim 46, the "...server...," is taught by Sim on col. 6, lines 16-18,

the "...distribution network coupled to the server to distribute a content provided by a content provider...," is taught by Sim on col. 6, lines 16-18 and col. 25, lines 10-13,

the "...and content management system coupled to the server and the distribution network...," is taught by Sim on col. 6, lines 16-18,

the "...content management system comprising...," is taught by Sim on col. 6, lines 16-18,

the "...external layer to interface to an application client...," is taught by Sim on col. 6, lines 59-61 and col. 7, lines 1-4,

the "...component programmatic application program interface (API)...," is taught by Sim on col. 7, lines 59-61,

the "...coupled to the external layer to interface to a plurality of engines comprising...," is taught by Sim on col. 6, lines 59-61 and col. 40, lines 21-25,

the "...workflow engine to manage workflows of ingesting the content and metadata associated with the content...," is taught by Gaudian on p. 2, par. 0017,

the "...coordinating distribution of the metadata and the content...," is taught by Swart on p. 14-15, par. 0109,

the "...and coordinating uploading the metadata and the content to the server for delivery to an end user...," is taught by Swart on p. 16, par. 0116, p. 14-15, par. 0109, and p. 7, par. 0073,

and the "...and a relational database to store the metadata...," is taught by Sim on col. 38, lines 40-42 and col. 37, lines 63-67.

Sim, Swart, and Gaudian fail to teach the use of multiple service operators.

In analogous art, Roop teaches the use of multiple service operators as follows:

"...and a multiple service/systems operator ("MSO")..." on col. 67, lines 62-63.

"...maintained by the MSO..." on col. 44, lines 55-57 and col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Sim, Swart, and Gaudian to use multiple systems operators i.e., cable companies, which will receive the multimedia data and control its distribution.

As per claims 42 and 47, the "...a business objects engine to managing business rules associated with the content...," is taught by Swart on p. 7-8, par. 0075, the "...business rules...," is taught by Swart on p. 7-8, par. 0075,

the "...package engine to manage packaging the content...," is taught by Swart on p. 3, par. 0044,

the "...scheduling engine to schedule deployment of the content...," is taught by Swart on p. 9, par. 0085,

the "...platform converter engine to customize an electronic program guide (EPG)...," is taught by Swart on p. 5, par. 0061 and p. 6, par. 0066,

the "...and a localization engine to localize the content....," is taught by Sim on col. 48, lines 29-38, but the steps "...being provided by MSO..." and the "...designated by the MSO...," are not taught by neither Sim, Swart, nor Gaudian.

In analogous art, Roop teaches using a multi service operator as follows: "...If cable, this may be a system operated by a Multiple System Operator (MSO)..." on col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Sim, Swart, and Gaudian to use multiple systems operators in order to identify cable companies, which will receive the multimedia data and control its distribution. Sim, Swart, Gaudian, and Roop have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, and the use of content and

Swart, Gaudian, and Roop teach the use of satellites. Sim provides external interfaces, clients, application program interfaces, content providers, and storing metadata in a relational database, Swart coordinates distribution of the metadata and the content and coordinates uploading the metadata and the content, Gaudian ingests content and metadata, and Roop provides multiple systems operators.

As per claims 43 and 48, the "...web service API to facilitate communication with an application...," is taught by Sim on col. 27, lines 53-55, col. 7, lines 28-30, and col. 35, lines 33-37,
the "...used by one of the MSO...," is taught by Roop on col. 67, lines 62-63, and the "...and the content provider...," is taught by Sim on col. 25, lines 10-13.

24. Claims 44, 45, 49, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sim, Swart, Gaudian, and Roop as applied to the claims above, and further in view of N2Broadband.

As per claims 44 and 49, the "...the Web service API performs operations comprising...," is taught by Sim on col. 27, lines 53-55 and col. 7, lines 28-30, the "...registering the content...," is taught by Swart on p. 18, par. 0124, the "..receiving a confirmation call...," is taught by Roop on col. 20, lines 66-67, the "...regarding status of transfer of an element of the content...," is taught by Sim on col. 5, lines 13-16, col. 5, lines 55-60, and col. 23, lines 4-6,

the "...and receiving a schedule request from the server for a schedule to distribute or upload the content...," is taught by Swart on p. 10, par. 0092, p. 10, par. 0098, and p. 12, par. 0099,

but the "...from one of a pitcher and a catcher...," is not taught by neither Sim, Swart, Gaudian, nor Roop.

In analogous art, N2Broadband teaches the use of pitchers and catchers as follows:

"...The MediaPath™ Catcher receives content packages from the MediaPath™ Pitcher then notifies and delivers the packages directly to an authorized video server, removing the need for manual functions..." at Products and Services, MediaPath™ Catcher.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine N2Broadband with Sim, Swart, Gaudian, and Roop to provide pitcher and catcher appliances in order to transmit content packages and deliver these packages to authorized video servers.

Sim, Swart, Gaudian, Roop, N2Broadband and have related applications. They teach the use of networks, the use of video, and the use of content and Swart, Gaudian, Roop, and N2Broadband teach the use of satellites. Sim provides external interfaces, clients, application program interfaces, content providers, and storing metadata in a relational database, Swart coordinates distribution of the metadata and the content and coordinates uploading the metadata and the content, Gaudian ingests content and metadata, Roop

provides multiple systems operators, and N2Broadband provides pitchers and catchers.

As per claims 45 and 50, the "...web service API further performs operations comprising...," is taught by Sim on col. 27, lines 53-55 and col. 7, lines 28-30,

the "...receiving a metadata request from the server for localized package metadata...," is taught by Swart on p. 10, par. 0092, p. 13, p. 0105, and p. 3, par. 0044, the "...receiving a reporting call from the server...," is taught by Swart on p. 10, par. 0092, and the "...to deliver usage report..." is taught by Sim on col. 33, lines 57-59.

25. Claims 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sim, Swart, and Gaudian as applied to claim 46 above, and further in view of Roop and N2Broadband.

As per claim 51, the "...used by the content provider...," is taught by Sim on col. 25, lines 10-13,

the "...to transmit the content and the metadata...," is taught by Swart on p. 25, par. 0092 and p. 13, par. 0105,

the "...via a distribution channel...," is taught by Swart on p. 10, par. 0092,

the "...to receive transmission...," is taught by swart on p. 10, par. 0092,

the "...via a downlink channel...," is taught by Swart on p. 14, par. 0108 and p. 10, par. 0092, but the "...pitcher...," the "...to the MSO...," the "...catcher...,"

the "...used by the MSO...," and the "...from the pitcher...," are not taught by neither Sim, Swart, nor Gaudian.

In analogous art, Roop teaches using a multi service operator as follows:

"...If cable, this may be a system operated by a Multiple System Operator (MSO)..." on col. 67, lines 62-63.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Roop with Sim, Swart, and Gaudian to use multiple systems operators in order to identify cable companies, which will receive the multimedia data and control its distribution.

Sim, Swart, Gaudian, and Roop have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, and the use of content and Swart, Gaudian, and Roop teach the use of satellites. Sim provides external interfaces, clients, application program interfaces, content providers, and storing metadata in a relational database, Swart coordinates distribution of the metadata and the content and coordinates uploading the metadata and the content, Gaudian ingests content and metadata, and Roop provides multiple systems operators.

Roop does not teach the use of pitchers and catchers.

In analogous art, N2Broadband teaches the use of pitchers and catchers as follows:

"...The MediaPath™ Catcher receives content packages from the MediaPath™ Pitcher then notifies and delivers the packages directly to an authorized video server, removing the need for manual functions..." at Products and Services, MediaPath™ Catcher.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine N2Broadband with Sim, Swart, Gaudian, and Roop to provide pitcher and catcher appliances in order to transmit content packages and deliver these packages to authorized video servers.

Sim, Swart, Gaudian, Roop, N2Broadband and have related applications. They teach the use of networks, the use of video, and the use of content and Swart, Gaudian, Roop, and N2Broadband teach the use of satellites. Sim provides external interfaces, clients, application program interfaces, content providers, and storing metadata in a relational database, Swart coordinates distribution of the metadata and the content and coordinates uploading the metadata and the content, Gaudian ingests content and metadata, Roop provides multiple systems operators, and N2Broadband provides pitchers and catchers.

As per claim 52, the "...distribution channel comprises a satellite uplink facility...," is taught by Swart on p. 10, par. 0092, p. 15, par. 0111, and p. 16, par. 0116

and the "...and the downlink channel comprises a satellite downlink facility...," is taught by Swart on p. 14, par. 0108, p. 10, par. 0092, and p. 15, par. 111.

As per claim 53, the "...one of the pitcher and the catcher...," is taught by N2Broadband at Products and Services, MediaPath™ Catcher
and Sim on col. 45, lines 37-43 and col. 43, lines 26-30, teaches the step "communicates with the content management system via a network connection,".

As per claim 54, the "...catcher...," is taught by N2Broadband at Products and Services, MediaPath™ Catcher
and Swart teaches the step "receives the content locally using one of a physical medium, a local network, and a terrestrial-based network," on p. 16-17, par. 0117, p. 1, par. 0016, and p. 3, par. 0044.

26. Claims 55 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sim, Swart, and Gaudian as applied to claim 46 above, and further in Hoffberg.

As per claim 55, the "...content...," is taught by Swart on p. 10, par. 0092, the "...broadband content, and a network content...," is taught by Swart on p. 10, par. 0092,
but the "...is one of a video-on-demand (VOD) content..."
and neither Sim, Swart, nor Gaudian teach the "asset data file,".

In analogous art, Hoffberg teaches the use of asset files and video-on-demand as follows:
"...Utilization of the E-Metro Community and Personal

Information Agents assure an effective and comprehensive agent-rule based command and control of informational assets in a networked computer environment..." on col. 66, lines 14-17.

"...For example, video-on-demand, pay-per view accounting, digital rights management and enforcement, and the like..." on col. 220, lines 36-38.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hoffberg with Sim, Swart, and Gaudian to use asset files in order to provide rights-based access to database records. Likewise, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hoffberg with Sim, Swart, and Gaudian to use video-on-demand in order to provide a means for customers to view and pay for use of the asset files.

Sim, Swart, Gaudian, and Hoffberg have related applications. They teach the use of computers, the use of networks, the use of multimedia, the use of audio, the use of video, and the use of content and Swart, Gaudian, and Roop teach the use of satellites. Sim provides external interfaces, clients, application program interfaces, content providers, and storing metadata in a relational database, Swart coordinates distribution of the metadata and the content and coordinates uploading the metadata and the content, Gaudian ingests content and metadata, and Hoffberg provides digital assets and video-on-demand.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harun M. Yimam whose telephone number is 571-272-7260. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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